

Issued: April 26, 2017

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING
MONDAY, APRIL 3, 2017
LEGISLATIVE CHAMBER, ROOM 314
TOWN HALL, WEST HARTFORD, CT 06107**

MINUTES

ATTENDANCE: Chair: Kevin Ahern; Vice Chair: Kevin Prestage; Commissioners: James Akin, Michele Maresca; Staff: Todd Dumais, Town Planner; Catherine Dorau, Associate Planner

ABSENT: Commissioners: John O'Donnell; Alternates: Gordon Binkhorst, Liz Gillette, Mishone Donelson

CALL TO ORDER/ROLL CALL: 7:00 P.M.

MATTERS FOR PUBLIC HEARING SHALL BE CALLED AT 7:15 P.M.

MINUTES:

1. Approval of Minutes:
 - a. Minutes of the Regular Meeting, Monday, March 6, 2017
Motion/Maresca; Second/Ahern; Vote 3-0; Voting: Ahern, Prestage, Akin (Maresca recused herself)
 - b. Minutes of the Special Meeting, Wednesday, March 22, 2017
Motion/Maresca; Second/Prestage; Vote 4-0; Voting: Ahern, Prestage, Akin (Maresca recused herself)

COMMUNICATIONS:

2.

NEW BUSINESS:

3. **178 Westmont** – Application (IWW # 1062-R1-17) of 188 Westmont Lot B LLC, Sal Leone, Record Owner/Applicant, (Darin Lemire, P.E.) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on April 3, 2017. Suggest required public hearing be scheduled for May 1, 2017.)



TOWN OF WEST HARTFORD

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After a brief review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (4-0)** (Motion/Maresca, Second/Ahern) to schedule this matter for a **public hearing on May 1, 2017** at 7:00 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

4. **178 Westmont** - Application (IWW # 1063-R1-17) of 188 Westmont Lot B LLC, Sal Leone, Record Owner/Applicant, (Darin Lemire, P.E.) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse area. The application proposes the construction activities within wetlands soils for a new home with an approximately 3172 s.f. footprint, associated site improvements including a driveway, and a 220 LF of precast concrete wall. Three (3) wetland mitigation areas are being proposed. (Submitted for IWWA receipt on April 3, 2017. Presented for determination of significance.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (4-0)** (Motion/Prestage, Second/Maresca), finding the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and scheduled this matter for a **public hearing on May 1, 2017** at 7:00 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

5. **106 South Street-** Application (SUP #1301) of Tri-Town Professional Office Building, LLC., Record Owner, (Bruce A. Fletcher, applicant) requesting approval of a Special Use Permit for a place of worship and training. (Submitted for TPZ receipt on April 3, 2017. Suggest required public hearing be scheduled for May 1, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (4-0)** (Motion/Maresca; Second Ahern) to schedule this matter for **public hearing on May 1, 2017** at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

6. **991 Farmington Avenue-** Application (SUP #1302) of Lasalle Road Partners, Record Owner, (Hilary Donald, AIA), requesting approval of a Special User Permit approval for a fifty-two (52) seat outdoor dining area. The proposed outdoor dining area will have retractable awnings, lighting, speakers and propane heating units. (Submitted for TPZ receipt on April 3, 2017. Suggest required public hearing be scheduled for May 1, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (3-0)** (Motion/Ahern; Second Prestage) (Maresca recused herself) to schedule this matter for **public hearing on May 1, 2017** at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

PLANNING FORUM:

7. West Hartford Center Review of the Central Business (BC) District Zone - Discussion with the West Hartford Center BC Zoning Working Group regarding the planning process and efforts conducted to date.

OLD BUSINESS:

8. **660 Mountain Road**- Application (IWW #1060) of Gledhill Nursery, Inc, Record Owner, (Kevin Solli, P.E.) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on February 6, 2017. Special Meeting scheduled for March 22, 2017. Request to postpone the hearing was approved on March 22, 2017 and the public hearing was rescheduled to April 3, 2017.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote (4-0)** (Motion/Maresca; Second/Prestage) to **APPROVE** the subject application. During its discussion and deliberation on this matter, the Agency made the following findings:

1. **The proposed amendment has been prepared by a certified soil scientist and is based on an on-site soil survey following approved wetland identification techniques.**
2. **A mylar of the approved wetland map amendment shall be provided to the Town Planning Office for filing in the wetland map files. The approved amendment shall also be submitted in electronic format for inclusion into the Town's Geographic Information System.**

9. **652 & 660 Mountain Road**- Application (IWW #1061) of Gledhill Nursery, Inc, Record Owner, (Kevin Solli, P.E.) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse area (the Hart Meadow Brook). The application proposes the redevelopment of the existing nursery including the demolition of the nursery building and the construction of fifteen new residential dwelling units and associated site improvements. The existing single-family residential dwelling is to remain for a total of sixteen residential units. (Submitted for IWWA receipt on February 6, 2017. Determined to be potentially significant and scheduled for a Special Meeting on March 22, 2017. Request to postpone the hearing was approved on March 22, 2017 and the public hearing was rescheduled to April 3, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ/IWWA acted by unanimous vote (4-0) (Motion/Prestage; Second/Maresca) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

652 & 660 MOUNTAIN ROAD
INLAND WETLAND APPLICATION IWW #1061
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **652 & 660 Mountain Road** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1061** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **652 & 660 Mountain Road.**

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- 3.) Weekly, or more frequently as set forth in the "Sediment and Erosion Control Notes," inspection reports of the sediment and erosion controls shall be submitted to the Town Planner. These reports shall be prepared by a qualified professional trained and experienced in soil and sediment controls.
- 4.) Prior to the start of any site disturbance, all wetlands flags shall be reestablished and all sediment and erosion controls and tree protection shall be installed. Once installed, the Town Planner shall be notified for inspection.
- 5.) The Applicant shall submit to the Town Planner and Town Engineer a cost estimate, prepared and certified by a qualified professional engineer, for the required soil erosion, sedimentation and storm-water runoff control measures. Once the estimate is approved, a performance bond or other assurance / surety in the approved amount shall be submitted.
- 6.) A wetlands or soil scientist shall monitor all wetlands mitigation and restoration work, including plantings. A final report of completion of work, prepared by the wetlands or soil scientist, shall be submitted to the Town Planner. Three subsequent yearly reports shall be submitted describing the status and condition of the wetlands restoration.
- 7.) Town Planning and Engineering Divisions shall receive copies of all materials and correspondence received from DEEP and FEMA.

- 8.) The permit shall expire if not exercised within ten (10) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

10. **652 & 660 Mountain Road-** Application (SUP #1299) of Gledhill Nursery, Inc, Record Owner, (Kevin Solli, P.E.) requesting Special Use Permit approval for an open-space development. The application proposes the redevelopment of the existing nursery including the demolition of the nursery building and the construction of fifteen new residential dwelling units and associated site improvements. The existing single-family residential dwelling is to remain for a total of sixteen residential units. (Submitted for TPZ receipt on February 6, 2017. Special Meeting scheduled for March 22, 2017. Request to postpone the hearing was approved on March 22, 2017 and the public hearing was rescheduled to April 3, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (4-0)** (Motion/Prestage; Second Maresca) to APPROVE this application with conditions. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
 - b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
 - c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
2. The form and content of the final "DECLARATION OF OPEN SPACE PRESERVATION AND RESTRICTIONS GLEDHILL ESTATES" shall be consistent with the requirements of Section 177-13 B(5-7) and shall be provided to the Corporation Counsel for review and approval.
3. The results of any additional soil testing, as may require by the terms of the final conveyance of property, shall be provided to the Town Planner.
4. Prior to the start of any site disturbance, a traffic management plan shall be provided to the Town Engineer for review and approval. At a minimum, the plan shall include appropriate traffic control and construction signage along the Mountain Road site frontage.

5. Pursuant to West Hartford Code of Ordinances Section 177-42A(8), the applicant shall return to the TPZ by April 2019 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.

TOWN COUNCIL REFERRALS:

TOWN PLANNER'S REPORT:

INFORMATION ITEMS:

REMINDER OF FUTURE TPZ REGULAR AND SPECIAL MEETINGS:

- TPZ Regular Meeting, Monday May 1, 2017 @ 7:00 P.M.
- TPZ Regular Meeting, Monday June 5, 2017 @ 7:00 P.M.
- TPZ Regular Meeting, Monday July 10, 2017 @ 7:00 P.M.

ADJOURNMENT: 11:35 P.M.

“Any individual with a disability who needs special assistance to participate in the meeting should contact

Social Services Department, 860.561.7561, five days prior to the meeting.”

U: shareddocs/TPZ/Agenda//2016/April 3 draft minutes